IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ABINGDON DIVISION

C. PAUL STANLEY, Administrator)
of the Estates of William Edward Smith)
Sr. and William Edward Smith Jr.,)
Plaintiff)
)
v.) Civil Action No: 1:10cv00010
)
STAR TRANSPORT, INC., et al.,)
Defendants	ORDER ORDER
)
) By: PAMELA MEADE SARGENT
) United States Magistrate Judge

This matter is before the undersigned on the Plaintiffs' Motion To Compel And For Appropriate Sanctions, (Docket Item No. 36) ("Plaintiffs' Motion to Compel"), and Star Transport Inc.'s Motion To Compel (Docket Item No. 46) ("Star's Motion to Compel"). Based on the arguments and representations of counsel, the Plaintiffs' Motion to Compel is **DENIED**, and it is **ORDERED** that defendant Ezzell Furgerson's May 7, 2010, answers to interrogatories are struck from the record. Star's Motion to Compel is **DENIED**, insofar as it seeks the military health records of William Edward Smith Sr. In all other respects, Star's Motion to Compel is **GRANTED**, and it is **ORDERED** as follows:

- 1. The plaintiffs shall provide the following information by no later than 14 days from the date of entry of this Order:
 - a. The names of all health care providers who examined, treated or

- otherwise provided medical care for each of the decedents during the five years preceding the decedents' deaths; and
- b. The dates and reasons for such treatment, examination or consultation;
- 2. To the extent that the plaintiffs have in their possession such documents sought in Request for Production No. 1, they shall produce them no later than 14 days from the date of entry of this order;
- 3. The plaintiffs shall provide the information sought in Interrogatory No. 10 by no later than 14 days from the date of entry of this Order. If the plaintiffs are unable to obtain this information after reasonable efforts to do so, such representation shall be made to this court;
- 4. The plaintiffs shall provide the information sought in Interrogatory No. 18, but limited to the 10 years preceding the decedents' deaths. If the plaintiffs are unable to obtain this information after reasonable efforts to do so, such representation shall be made to this court; and
- 5. The plaintiffs shall produce the documents sought in Request for Production No. 4. If the plaintiffs are unable to obtain such documents after reasonable efforts to do so, such representation shall be made to this court.

ENTER: August 30, 2010.

/s/ Pamela Meade Sargent
UNITED STATES MAGISTRATE JUDGE